

EXTRAORDINARY SESSION

JOURNAL OF THE SENATE

Thursday, September 22, 1949

The Senate convened at 11:00 o'clock A.M., pursuant to adjournment on Wednesday, September 21, 1949.

The President in the Chair.

The roll was called and the following Senators answered to their names:

Mr. President	Collins	Lindler	Sheldon
Alford	Crary	Mathews	Shivers
Ayers	Davis	McArthur	Smith
Baker	Franklin	Moore	Sturgis
Baynard	Gautier	Pearce	Tucker
Beacham	Getzen	Pope	Walker
Beall	Johns	Ray	Wilson
Boyle	Johnston	Rodgers	Wright
Carroll	King	Sanchez	
Clarke	Leaird	Shands	

—38.

A quorum present.

The following Prayer was offered by the Reverend H. C. Meador, Pastor of the Lakeview Baptist Church, Tallahassee, as guest Chaplain:

"Our Heavenly Father, hallowed be Thy name. Thy kingdom come, Thy will be done on earth as it is in heaven. We are grateful, our Father, that Jesus, Thy blessed Son, is here in the person of the Holy Spirit to help us fit our lives into Thy plan for us. We thank Thee that He is here to make men free. We are grateful for this nation of ours which affords to each citizen the right to worship Thee as they please. We thank Thee for men of state who are endeavoring to solve the weightier matters of the Law; who make Laws, and who direct the welfare of this state and nation. This morning we pray for each one of these. We ask that today You will bless these men of the Senate as they endeavor to find a workable solution to the problems which confront our State at this time. Imbue their thinking powers, enlarge their vision, and help them to arrive at a solution to these problems which will be acceptable to all the people of our fair State. Bless their families in their absence. Give us wisdom as we seek to please Thee, for we ask it in Jesus precious name. Amen."

The reading of the Journal was dispensed with.

The Senate Daily Journal of Wednesday, September 21, 1949, was corrected as follows:

Page 10, column 1, strike out the following:

"In Section 1, Sub-paragraph 9, lines 8, 24 and 31, on page 4 (typewritten bill) strike out the figures:

"\$23,000.00" and insert in lieu thereof the following: "\$20,000.00"

and insert in lieu thereof the following:

Strike out the figures "\$23,000" wherever they appear in the bill and insert in lieu thereof the following: "\$20,000"

And as corrected was approved.

ENGROSSING REPORTS

Your Engrossing Clerk to whom was referred, with Senate amendments, for engrossing—

Senate Bill No. 79-X(49)—A bill to be entitled An Act creating a Small Claims Court in each county in this State having a population of not less than 35,100 and not more than 38,200 according to the last State census; providing for the appointment, qualifications and tenure of office of the judge of such small claims court; prescribing the jurisdiction, the pleading, practice and service of process therein; providing for the duties of the judge and his remuneration.

—begs leave to report that the Senate amendments have been incorporated in the Bill and the same is returned herewith, as engrossed.

Very respectfully,

ROBT. W. DAVIS,

Secretary of the Senate as
Ex Officio Engrossing Clerk.

And Senate Bill No. 79-X(49), contained in the above report, was ordered certified to the House of Representatives immediately, by waiver of the rule.

Your Engrossing Clerk to whom was referred, with Senate amendments, for engrossing—

Committee Substitute for Senate Bill No. 22-X(49)—A bill to be entitled An Act amending Section 561.46, Florida Statutes, 1941, as amended by Chapter 22562, Laws of Florida, Acts of 1945, and being An Act relating to taxation, levying and imposing a State excise tax on alcoholic beverages.

—begs leave to report that the Senate amendments have been incorporated in the Bill and the same is returned herewith, as engrossed.

Very respectfully,

ROBT. W. DAVIS,

Secretary of the Senate as
Ex Officio Engrossing Clerk.

And Senate Bill No. 22-X(49) contained in the above report, was ordered certified to the House of Representatives immediately, by waiver of the rule.

Your Engrossing Clerk to whom was referred, with Senate amendments, for engrossing—

Senate Bill No. 75-X(49):

A bill to be entitled An Act creating a State Purchasing Department to be operated under rules and regulations of an executive board composed of the Governor, the Secretary of State, the Attorney General, the Comptroller, the Treasurer, the Superintendent of Public Instruction, and the Commissioner of Agriculture; providing for the appointment of a Director of Purchasing by the Governor and for his confirmation by the Senate and for the removal of such director, filling vacancies and confirmation thereof by the Senate and prescribing powers and duties of said director and the State Purchasing Department.

—begs leave to report that the amendments have been incorporated in the Bill and the same is returned herewith, as engrossed.

Very respectfully,

ROBT. W. DAVIS,

Secretary of the Senate
as Ex Officio Engrossing Clerk.

And Senate Bill No. 75-X(49), contained in the above report, was ordered certified to the House of Representatives immediately, by waiver of the rule.

ENROLLING REPORT

September 21, 1949.

Your Enrolling Clerk, to whom was referred—

H. B. No. 90-X('49)

—begs leave to report same has been signed in open session by the President and Secretary of the Senate and the Speaker and Chief Clerk of the House of Representatives, and this day presented to the Governor for his approval.

Very respectfully,

ROBT. W. DAVIS,
Enrolling Clerk Ex-Officio as
Secretary of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

Pursuant to Substitute for Senate Resolution No. 1-X(49) the President submitted the question to the Senate of whether or not the following bill should be introduced for consideration by the Senate notwithstanding it not being within the legislative business for which this extraordinary session was convened:

By Senator Tucker—

Senate Bill No. 93-X(49):

A bill to be entitled An Act to designate a certain State Road in Wakulla County, Florida.

It was agreed by a two-thirds vote of the Senate that Senate Bill No. 93-X(49), title as aforesaid, should be introduced for consideration by the Senate so it was read the first time by title only.

Senator Tucker moved that the rules be waived and Senate Bill No. 93-X(49) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 93-X(49) was read the second time by title only.

Senator Tucker moved that the rules be further waived and Senate Bill No. 93-X(49) be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 93-X(49) was read the third time in full.

Upon the passage of Senate Bill No. 93-X(49) the roll was called and the vote was:

Yeas—38.

Mr. President	Collins	Lindler	Sheldon
Alford	Crary	Mathews	Shivers
Ayers	Davis	McArthur	Smith
Baker	Franklin	Moore	Sturgis
Baynard	Gautier	Pearce	Tucker
Beacham	Getzen	Pope	Walker
Beall	Johns	Ray	Wilson
Boyle	Johnston	Rodgers	Wright
Carroll	King	Sanchez	
Clarke	Leaird	Shands	

Nays—None.

So Senate Bill No. 93-X(49) passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

Pursuant to Substitute for Senate Resolution No. 1-X(49) the President submitted the question to the Senate of whether or not the following bill should be introduced for consideration by the Senate notwithstanding it not being within the legislative business for which this extraordinary session was convened:

By Senator Leaird—

Senate Bill No. 94-X(49):

A bill to be entitled An Act amending Section 3 of Article IV of Chapter 24658, Laws of Florida, Acts of 1947, relating to the Town of Lauderdale-by-the-Sea; providing the requirements necessary to vote in town elections; and confirming the operation and creation of said town as of December 17, 1947.

It was agreed by a two-thirds vote of the Senate that Senate Bill No. 94-X(49), title as aforesaid, should be introduced for consideration by the Senate so it was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 94-X(49) when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Leaird moved that the rules be waived and Senate Bill No. 94-X(49) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 94-X(49) was read the second time by title only.

Senator Leaird moved that the rules be further waived and Senate Bill No. 94-X(49) be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 94-X(49) was read the third time in full.

Upon the passage of Senate Bill No. 94-X(49) the roll was called and the vote was:

Yeas—38.

Mr. President	Collins	Lindler	Sheldon
Alford	Crary	Mathews	Shivers
Ayers	Davis	McArthur	Smith
Baker	Franklin	Moore	Sturgis
Baynard	Gautier	Pearce	Tucker
Beacham	Getzen	Pope	Walker
Beall	Johns	Ray	Wilson
Boyle	Johnston	Rodgers	Wright
Carroll	King	Sanchez	
Clarke	Leaird	Shands	

Nays—None.

So Senate Bill No. 94-X(49) passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

Pursuant to Substitute for Senate Resolution No. 1-X(49) the President submitted the question to the Senate of whether or not the following bill should be introduced for consideration by the Senate notwithstanding it not being within the legislative business for which this extraordinary session was convened:

By Senator Brackin—

Senate Bill No. 95-X(49):

A bill to be entitled An Act to amend Section 9, Chapter 24096, Laws of Florida, 1947, to govern the collection and expenditure of fees collected and to repeal Chapter 25039, Laws of Florida, 1949.

It was agreed by a two-thirds vote of the Senate that Senate Bill No. 95-X(49), title as aforesaid, should be introduced for consideration by the Senate so it was read the first time by title only.

Senator Collins moved that the rules be waived and Senate Bill No. 95-X(49) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 95-X(49) was read the second time by title only.

Senator Collins moved that the rules be further waived and Senate Bill No. 95-X(49) be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 95-X(49) was read the third time in full.

Upon the passage of Senate Bill No. 95-X(49) the roll was called and the vote was:

Yeas—34.

Mr. President	Clarke	Mathews	Sheldon
Alford	Collins	McArthur	Shivers
Ayers	Crary	Moore	Smith
Baker	Davis	Pearce	Sturgis
Baynard	Franklin	Pope	Tucker
Beacham	Gautier	Ray	Wilson
Beall	Getzen	Rodgers	Wright
Boyle	Leaird	Sanchez	
Carroll	Lindler	Shands	

Nays—2.

Johnston Walker

So Senate Bill No. 95-X(49) passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Pursuant to Substitute for Senate Resolution No. 1-X(49) the President submitted the question to the Senate of whether or not the following bill should be introduced for consideration by the Senate notwithstanding it not being within the legislative business for which this extraordinary session was convened:

By Senators Franklin and Moore—

Senate Bill No. 96-X(49):

A bill to be entitled An Act to amend Section 2 of Chapter 23,758, Acts of 1947, by providing that new State Improvement Commission bonds or certificates bearing equal or lower interest rates, but with extended or altered maturities, may be issued and exchanged for outstanding non-callable unmatured bonds by negotiation with the holders of such outstanding bonds.

It was agreed by a two-thirds vote of the Senate that Senate Bill No. 96-X(49), title as aforesaid, should be introduced for consideration by the Senate so it was read the first time by title only.

Senator Franklin moved that the rules be waived and Senate Bill No. 96-X(49) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 96-X(49) was read the second time by title only.

Senator Franklin moved that the rules be further waived and Senate Bill No. 96-X(49) be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 96-X(49) was read the third time in full.

Upon the passage of Senate Bill No. 96-X(49) the roll was called and the vote was:

Yeas—33.

Mr. President	Clarke	Lindler	Shands
Alford	Collins	Mathews	Sheldon
Ayers	Crary	McArthur	Shivers
Baker	Davis	Moore	Tucker
Baynard	Franklin	Pearce	Walker
Beacham	Gautier	Pope	Wilson
Beall	Getzen	Ray	
Boyle	King	Rodgers	
Carroll	Leaird	Sanchez	

Nays—1.

Johnston

So Senate Bill No. 96-X(49) passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

Pursuant to Substitute for Senate Resolution No. 1-X(49) the President submitted the question to the Senate of whether or not the following bill should be introduced for consideration by the Senate notwithstanding it not being within the legislative business for which this extraordinary session was convened:

By the Committee on State Institutions—

Senate Bill No. 97-X(49):

A bill to be entitled An Act authorizing the superintendent of the State prison farm to file a petition for examination of prisoners at said institution believed to be incompetent as contemplated by Section 394.20, Florida Statutes; and fixing the effective date of this Act.

It was agreed by a two-thirds vote of the Senate that Senate Bill No. 97-X(49), title as aforesaid, should be introduced for consideration by the Senate so it was read the first time by title only.

Senator Wilson moved that the rules be waived and Senate Bill No. 97-X(49) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 97-X(49) was read the second time by title only.

Senator Wilson moved that the rules be further waived and Senate Bill No. 97-X(49) be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 97-X(49) was read the third time in full.

Upon the passage of Senate Bill No. 97-X(49) the roll was called and the vote was:

Yeas—37.

Mr. President	Crary	Mathews	Shivers
Alford	Davis	McArthur	Smith
Ayers	Franklin	Moore	Sturgis
Baker	Gautier	Pearce	Tucker
Baynard	Getzen	Pope	Walker
Beacham	Johns	Ray	Wilson
Beall	Johnston	Rodgers	Wright
Carroll	King	Sanchez	
Clarke	Leaird	Shands	
Collins	Lindler	Sheldon	

Nays—None.

So Senate Bill No. 97-X(49) passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

Pursuant to Substitute for Senate Resolution No. 1-X(49) the President submitted the question to the Senate of whether or not the following bill should be introduced for consideration by the Senate notwithstanding it not being within the legislative business for which this extraordinary session was convened:

By the Committee on State Institutions—

Senate Bill No. 98-X(49):

A bill to be entitled An Act to amend Section 394.23, Florida Statutes, relating to compensation for the services of the County Judge and other described persons in connection with proceedings had under Chapter 394, Florida Statutes, by providing that when such proceedings are had in Union County, Florida, with respect to a prisoner at the State prison farm, accounts in connection with said proceedings shall be paid from the funds of the State prison farm, there being appropriated from such funds sufficient amounts to pay said accounts; and by providing that when proceedings are required in Gadsden County, Florida, with respect to persons mentally incompetent accepted from other States or the Federal government, for their commitment to Florida State Hospital,

accounts in connection therewith shall be paid from the funds of Florida State Hospital, there being appropriated from such funds sufficient amounts to pay said accounts; and fixing the effective date of this Act.

It was agreed by a two-thirds vote of the Senate that Senate Bill No. 98-X(49), title as aforesaid, should be introduced for consideration by the Senate so it was read the first time by title only.

Senator Wilson moved that the rules be waived and Senate Bill No. 98-X(49) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 98-X(49) was read the second time by title only.

Senator Wilson moved that the rules be further waived and Senate Bill No. 98-X(49) be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 98-X(49) was read the third time in full.

Upon the passage of Senate Bill No. 98-X(49) the roll was called and the vote was:

Yeas—38.

Mr. President	Collins	Lindler	Sheldon
Alford	Crary	Mathews	Shivers
Ayers	Davis	McArthur	Smith
Baker	Franklin	Moore	Sturgis
Baynard	Gautier	Pearce	Tucker
Beacham	Getzen	Pope	Walker
Beall	Johns	Ray	Wilson
Boyle	Johnston	Rodgers	Wright
Carroll	King	Sanchez	
Clarke	Leaird	Shands	

Nays—None.

So Senate Bill No. 98-X(49) passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

Pursuant to Substitute for Senate Resolution No. 1-X(49) the President submitted the question to the Senate of whether or not the following bill should be introduced for consideration by the Senate notwithstanding it not being within the legislative business for which this extraordinary session was convened:

By Senator Mathews—

Senate Bill No. 99-X(49):

A bill to be entitled An Act authorizing the investment by the State Board of Administration of funds transferred to the State Road Department pursuant to Chapter 23,758, Acts of 1947, and providing for the distribution of earnings from such investment.

It was agreed by a two-thirds vote of the Senate that Senate Bill No. 99-X(49), title as aforesaid, should be introduced for consideration by the Senate so it was read the first time by title only.

Senator Mathews moved that the rules be waived and Senate Bill No. 99-X(49) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 99-X(49) was read the second time by title only.

Senator Mathews moved that the rules be further waived and Senate Bill No. 99-X(49) be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 99-X(49) was read the third time in full.

Upon the passage of Senate Bill No. 99-X(49) the roll was called and the vote was:

Yeas—37.

Mr. President	Collins	Lindler	Sheldon
Alford	Crary	Mathews	Shivers
Ayers	Davis	McArthur	Sturgis
Baker	Franklin	Moore	Tucker
Baynard	Gautier	Pearce	Walker
Beacham	Getzen	Pope	Wilson
Beall	Johns	Ray	Wright
Boyle	Johnston	Rodgers	
Carroll	King	Sanchez	
Clarke	Leaird	Shands	

Nays—None.

So Senate Bill No. 99-X(49) passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

Pursuant to Substitute for Senate Resolution No. 1-X(49) the President submitted the question to the Senate of whether or not the following bill should be introduced for consideration by the Senate notwithstanding it not being within the legislative business for which this extraordinary session was convened:

By Senator Beall—

Senate Bill No. 100-X(49):

A bill to be entitled An Act relating to the City of Pensacola providing that certain provisions of Section 14 of Senate Bill 19-X passed at the Special and Extraordinary Session of the 1949 Legislature and entitled: "An Act relating to taxation, levying and imposing an additional tax on gasoline or other like products of petroleum; providing for reports of sales of such commodities to the Comptroller of the State of Florida; providing that the gasoline inspection laws of the State of Florida shall apply to this Act; prohibiting the levy and collection by municipalities and other political subdivisions of gasoline taxes; providing for the purposes of such tax and appropriating the same for the construction and maintenance of public highways and rights of way therefor designated state roads in the several counties, acquiring rights of way for such roads or payment of bonded indebtedness incurred for road and bridge purposes; prescribing the duties of the several boards of county commissioners or other county board having similar powers over roads and bridges and the State Road Department; and allocating said taxes for public highway use in the several counties; providing for the enforcement of this Act and penalties for violation thereof. Repealing all laws in conflict with this Act and particularly Chapter 25266, Laws of Florida, Acts of 1949, and providing for impounding of the proceeds of the tax imposed in this Act in the event of invalidity of certain sections of this Act; providing that this Act shall become effective October 1, 1949." shall not apply to the City of Pensacola, Florida.

It was agreed by a two-thirds vote of the Senate that Senate Bill No. 100-X(49), title as aforesaid, should be introduced for consideration by the Senate and it was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 100-X(49) when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Beall moved that the rules be waived and Senate Bill No. 100-X(49) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 100-X(49) was read the second time by title only.

Senator Beall moved that the rules be further waived and Senate Bill No. 100-X(49) be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 100-X(49) was read the third time in full.

Upon the passage of Senate Bill No. 100-X(49) the roll was called and the vote was:

Yeas—38.

Mr. President	Collins	Lindler	Sheldon
Alford	Crary	Mathews	Shivers
Ayers	Davis	McArthur	Smith
Baker	Franklin	Moore	Sturgis
Baynard	Gautier	Pearce	Tucker
Beacham	Getzen	Pope	Walker
Beall	Johns	Ray	Wilson
Boyle	Johnston	Rodgers	Wright
Carroll	King	Sanchez	
Clarke	Leaird	Shands	

Nays—None.

So Senate Bill No. 100-X(49) passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

Senator Leaird asked unanimous consent of the Senate to take up and consider House Bill No. 69-X(49), out of its order, at this time.

Which was agreed to.

House Bill No. 69-X(49)—A bill to be entitled An Act to validate and confirm all acts and proceeding relative to the calling, holding, conducting and canvassing the returns of an election held in the area of the present municipality of Lauderdale-by-the-Sea, said election being held on December 17, 1947, and said election being held in compliance with and in conformance with the terms and provisions and requirements as set forth in that Special Act of the Florida Legislature, being Chapter 24658 of the 1947 Legislature.

Was taken up.

Senator Leaird moved that the rules be waived and House Bill No. 69-X(49) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 69-X(49) was read the second time by title only.

Senator Leaird moved that the rules be further waived and House Bill No. 69-X(49) be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 69-X(49) was read the third time in full.

Upon the passage of House Bill No. 69-X(49) the roll was called and the vote was:

Yeas—38.

Mr. President	Collins	Lindler	Sheldon
Alford	Crary	Mathews	Shivers
Ayers	Davis	McArthur	Smith
Baker	Franklin	Moore	Sturgis
Baynard	Gautier	Pearce	Tucker
Beacham	Getzen	Pope	Walker
Beall	Johns	Ray	Wilson
Boyle	Johnston	Rodgers	Wright
Carroll	King	Sanchez	
Clarke	Leaird	Shands	

Nays—None.

So House Bill No. 69-X(49) passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

MESSAGE FROM THE GOVERNOR
STATE OF FLORIDA
EXECUTIVE DEPARTMENT
TALLAHASSEE

September 21, 1949.

Honorable Newman C. Brackin,
President of the Senate,
Tallahassee, Florida.

Sir:

I have the honor to advise you that I have today transmitted to the Secretary of State the following Acts,

which originated in your Honorable Body, Extraordinary Session, September, 1949, the same having remained in my office for the full Constitutional period of five days and will become laws without my approval:

S. B. No. 14-X(49), relating to Jacksonville

S. B. No. 24-X(49), relating to Town of Sweetwater

Respectfully,

FULLER WARREN,
Governor.

Senator McArthur now presiding.

Senator Brackin moved that when the Senate adjourns at this Session it recess to reconvene at 3:00 o'clock P. M., this day.

Which was agreed to and it was so ordered.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following message from the House of Representatives was read:

Tallahassee, Florida,
September 21, 1949.

The Honorable Newman C. Brackin,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed, as amended—

By Senators Shands, Mathews, Rodgers, Ray and Carroll—

Senate Bill No. 17-X(49):

A bill to be entitled An Act to define certain additional privileges, and to levy and provide for the collection of privilege taxes upon sales of personal property, upon admissions and upon rentals of real and personal property; providing for certain exemptions; to define certain words and terms used in this Act; to provide for the creation and enforcement of liens upon real and personal property of persons liable for the payment of such taxes to authorize the promulgation of rules and regulations for the administration and enforcement of this Act; to appropriate monies derived from such taxes and to direct the payment of such monies derived from such taxes to the General Revenue Fund of the State of Florida, to the cost of administration and enforcement of this Act and to provide for impounding any surplus revenue; to provide for the operation of this Act in the event certain provisions herein shall be held invalid; providing for an effective date; to provide penalties for the violation of this Act; and repealing Sections 204.03 and 204.04, Florida Statutes, 1941, and conflicting laws.

Which amendments read as follows:

Amendment No. 1—

Strike out all of Section 8 of the engrossed bill, and insert in lieu thereof the following:

"Section 8. That the sale at retail, the use, the consumption, the distribution, and the storage to be used or consumed in this State, of the following tangible personal property, is hereby specifically exempt from the tax imposed by this Act:

"Fresh meats, cured meats not otherwise processed, fresh fruit and fruit juices, fresh vegetables, grits, eggs, meal, baking powder, soda, flour, salt, pepper, milk, coffee, tea, lard and shortening, oleomargarine, butter, bakery products, fish and other seafoods, cocoa, cigarettes, alcoholic beverages, beer, ice, sugar, syrup, poultry, soap and soap powders and detergents, fuel oil, caskets, Irish and sweet potatoes, frozen foods, baby foods, dried or cured vegetables and fruits, honey, citrus, fresh and processed, seeds, feeds, fertilizers, water (not to include, however, mineral water or carbonated water, or any water put up in bottles, jugs, or other containers), newspapers, school books and school lunches, motor fuel.

"Also exempt are professional, insurance or personal serv-

ice transactions which involve sales as inconsequential elements for which no separate charge is made, and likewise exempted are all sales made to or by the United States of America, the State of Florida, or any county or municipality within the State and all sales made to or by any governmental unit, State or Federal.

"Medicine compounded in a retail establishment by pharmacists licensed by the State of Florida according to an individual prescription or prescriptions and refills written by a practitioner of the healing arts licensed by the State of Florida, or a sister State, and common household medicinal remedies recommended and generally sold for the relief of pain, ailment, distress or disorder of the human body, according to a list prescribed, and approved by the State Board of Health, which said list shall be certified to the Comptroller and from time to time be included in the rules and regulations promulgated by the Comptroller.

Amendment No. 2—

In Section 8 of the engrossed bill, as amended, at the end of said section, insert the following paragraph:

"Articles of clothing, including shoes, hats and underwear, where the price at which the same is sold is Ten Dollars (\$10.00) or less, on any single item thereof: provided, that sales of articles of clothing ordinarily sold or offered for sale as a pair, or as a suit or ensemble, shall be considered single items under this exemption, provided fabrics by the yard classified as wearing apparel fabrics shall be included in the term articles of clothing."

Amendment No. 3—

In Section 8, as amended, at the end of said section add, "There is also exempt from the provisions of this Act ships, nets and other equipment used directly in and by licensed commercial fisheries and fishermen."

Amendment No. 4—

At the end of Amended Section 8, add the following: "Also exempt shall be cheesecloth to be used for shading tobacco."

Amendment No. 5—

In Section 8, line 12, of the bill, as amended by Amendment No. 1, between the words "fresh and processed" and the word "seeds" insert the words "canned foods"

Amendment No. 6—

In Section 8 as amended add the following paragraph: "The following personal property is hereby specifically exempt from the tax imposed by this Act, to wit: machines and equipment used in plowing, planting, cultivating and harvesting crops."

Amendment No. 7—

In Section 23, page 52 of the bill: Renummer Section 23 so as to read Section 24 and add a new Section 23 to read as follows:

"SECTION 23. Nothing herein contained shall be construed as repealing any general or special act authorizing a municipality to levy a special tax upon admission tickets which said tax is now being levied by such municipality."

Amendment No. 8—

In Section 8, as amended, add a new paragraph to read as follows:

"There is also exempted from the tax imposed by this Act all supplies, fertilizer, sprays, equipment and machinery used in the cultivating and production of citrus."

Amendment No. 9—

In Section 8, as amended: At the end of paragraph three (3) following the words "any governmental unit State or Federal" and insert the following "Likewise exempted are admissions to places of amusement operating under the supervision of the State Racing Commission."

Amendment No. 10—

In Section 8, as amended, of the engrossed bill, Add the following unnumbered paragraph:

"Articles sold or leased to or by Churches or other religious, educational or charitable institutions in the course of their customary religious or charitable activities."

Amendment No. 11—

In Section 8, as amended, at the end of line 8, after the word "Cocoa" add "meals costing \$1.00 or less".

Amendment No. 12—

In Section 14 of the engrossed bill, add the following paragraph at the end of said Section:

"All hearings authorized hereunder to be conducted by the Comptroller shall be held in the County of the residence of the persons liable for the tax or in the County where such person maintains his or its principal place of business. Provided, however, that any such hearing may, with the consent of such person, be held at any place in the State of Florida designated by the Comptroller."

Amendment No. 13—

In Section 8, as amended, line 7, of the bill, after the word: "milk" insert the following: "and milk products".

Amendment No. 14—

At the end of Section 8, as amended, insert the following sentence: "The following personal property is hereby specifically exempt from the tax imposed by this act, to-wit: supplies, fertilizer, sprays, equipment and machinery used in the cultivation and production of agricultural, horticultural or nursery products of any kind whatsoever"

Amendment No. 15—

In Section 8, as amended, at the end thereof insert the following: "There shall likewise be exempted all sales made to or by the United States Government, the State of Florida or any county or municipality within the State, and all sales made to or by any governmental unit, State or Federal, and including sales made to contractors of tangible personal property going into and becoming a part of public works and projects owned by any such government or governmental unit.

Amendment No. 16—

At end of Section 8, as amended, strike out the period, insert a comma and add the following: The following items shall also be exempt from the operation of this law; artificial eyes, limbs, crutches, eye glasses, dentures, hearing devices, prosthetic and orthopedic appliances.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk,
House of Representatives.

And Senate Bill No. 17-X(49), contained in the above message, was read by title, together with the House amendments thereto.

Senator Ray moved that the rules be waived and the Senate consider House Amendments Nos. 1 to 16, both inclusive, to Senate Bill No. 17-X(49), in toto.

Upon which a roll call was demanded.

Upon call of the roll on the motion made by Senator Ray the vote was:

Yeas—23.

Mr. President	Collins	Mathews	Shands
Baker	Crary	Moore	Sturgis
Beacham	Gautier	Pearce	Tucker
Beall	Getzen	Ray	Walker
Boyle	King	Rodgers	Wright
Carroll	Leaird	Sanchez	

Nays—13.

Alford	Franklin	McArthur	Wilson
Baynard	Johns	Pope	
Clarke	Johnston	Sheldon	
Davis	Lindler	Shivers	

So the motion failed to receive the necessary two-thirds vote and failed of adoption.

Senator Ray moved that the Senate do not concur in House Amendment No. 1 to Senate Bill No. 17-X(49).

Which was agreed to and the Senate refused to concur in House Amendment No. 1 to Senate Bill No. 17-X(49).

Senator Ray moved that the Senate do not concur in House Amendment No. 2 to Senate Bill No. 17-X(49).

Which was agreed to and the Senate refused to concur in House Amendment No. 2 to Senate Bill No. 17-X(49).

Senator Ray moved that the Senate do not concur in House Amendment No. 3 to Senate Bill No. 17-X(49).

Which was agreed to and the Senate refused to concur in House Amendment No. 3 to Senate Bill No. 17-X(49).

Senator Ray moved that the Senate do not concur in House Amendment No. 4 to Senate Bill No. 17-X(49).

Which was agreed to and the Senate refused to concur in House Amendment No. 4 to Senate Bill No. 17-X(49).

The President now presiding.

Senator Ray moved that the rules be waived and the Senate refuse to concur in House Amendments Nos. 5 to 16, both inclusive, to Senate Bill No. 17-X(49), as set forth in the foregoing message.

Which was agreed to by a two-thirds vote and the Senate refused to concur in House Amendments Nos. 5 to 16, both inclusive, to Senate Bill No. 17-X(49), as contained in the foregoing message.

Senator Ray moved that the House of Representatives be requested to recede from House Amendments Nos. 1 to 16 to Senate Bill No. 17-X(49).

Which was agreed to and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

The following message from the House of Representatives was read:

Tallahassee, Florida,
September 22, 1949.

The Honorable Newman C. Brackin,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has adopted by a two-thirds vote —

By Senator Sheldon—

Senate Concurrent Resolution No. 47-X(49):

A resolution requesting the State Budget Commission to release sufficient funds for the purpose of recouping certain unmatched Federal funds for July and August and to prevent the reversion of certain unmatched Federal funds available for September.

WHEREAS, the State Budget Commission found it necessary to reduce by twenty-five percent the funds available to the various state agencies; and

WHEREAS, as a result of this reduction the State Welfare Board was unable to fully match federal funds available for assistance to the aged, blind and dependent children in the months of July, August and September; and

WHEREAS, responsible officials of the Federal Social Security Administration in Washington have indicated that, if the State of Florida, at its special session, will provide the

state funds within ninety days to match the federal funds which would ordinarily have gone to the three classes of recipients during July, August and September, the federal funds which tentatively lapsed can be made available; and

WHEREAS, if approximately \$230,000 of unmatched federal funds are matched by September 17th, it is believed that the state welfare board will be able to mail out checks by the 28th of September; Now, Therefore,

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

1. That the State Budget Commission be requested to release sufficient funds as soon as possible to match the federal funds that were available for assistance to the aged, blind and dependent children for the months of July and August and which have reverted to the federal government.

2. That the State Budget Commission be requested to release sufficient state funds when available to match approximately \$230,000 of unmatched federal funds on hand and which will revert unless matched by the 17th of September to be used for assistance to the aged, blind and dependent children for the month of September.

Introduction of the bill was agreed to by a two-thirds vote of the House.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk,
House of Representatives.

And Senate Concurrent Resolution No. 47-X(49), contained in the above message, was referred to the Secretary of the Senate as Ex-Officio Enrolling Clerk, for enrolling.

The following message from the House of Representatives was read:

Tallahassee, Florida,
September 22, 1949.

The Honorable Newman C. Brackin,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has concurred in Senate Amendment No. 1 by a two-thirds vote and refuses to concur in Senate Amendment No. 2 to—

By Mr. Yeomans of Citrus—

H. B. No. 82-X(49)—A bill to be entitled An Act fixing the compensation of members of the Board of Public Instruction of Citrus County, State of Florida and providing the time of payment of such compensation.

Proof of Publication attached.

Which amendments read as follows:

Amendment No. 1—

In Section 1, line 4, (typewritten bill) strike out the figures: "10" and insert in lieu thereof the following: "7½"

Amendment No. 2—

In Section 1, line 4, (typewritten bill) strike out the figures: "\$50.00" and insert in lieu thereof the following: "\$35.00"

—and respectfully requests the Senate to recede from Senate Amendment No. 2.

Respectfully,

LAMAR BLEDSOE
Chief Clerk,
House of Representatives.

Senator Johnston moved that the Senate do not recede from Senate Amendment No. 2 to House Bill No. 82-X(49).

Which was agreed to and the Senate refused to recede from Senate Amendment No. 2 to House Bill No. 82-X(49), and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

ORDER OF THE DAY

The motion made by Senator Shivers on September 21, 1949, to reconsider the vote by which the Senate determined on September 20, 1949, that Senate Bill No. 78-X(49) was not within the legislative business for which this extraordinary session of the Legislature was convened, was taken up in its order.

Senate Bill No. 78-X(49):

A bill to be entitled An Act to raise revenue by increasing the admission tax to all horse race tracks in this State; providing for such increase to be appropriated to the State Tuberculosis Board; providing for the use of such funds by said board; providing for the amendment of Section 550.081, Florida Statutes, relating to the allocation of periods of operation for horse race tracks; and making findings and declarations of policy relative thereto.

The President put the question: "Will the Senate reconsider the vote by which the Senate determined on September 20, 1949 that Senate Bill No. 78-X(49) was not within the legislative business for which this extraordinary session of the Legislature was convened?"

A roll call was demanded.

Upon the motion made by Senator Shivers the roll was called and the vote was:

Yeas—20.

Mr. President	Crary	Mathews	Shands
Ayers	Getzen	McArthur	Sheldon
Beacham	Johnston	Pearce	Shivers
Beall	Leaird	Ray	Tucker
Boyle	Lindler	Rodgers	Walker

Nays—18.

Alford	Collins	King	Sturgis
Baker	Davis	Moore	Wilson
Baynard	Franklin	Pope	Wright
Carroll	Gautier	Sanchez	
Clarke	Johns	Smith	

Which was agreed to and the Senate reconsidered the vote by which the Senate determined on September 20, 1949, that Senate Bill No. 78-X(49) was not within the legislative business for which this extraordinary session of the Legislature was convened.

The question recurred on whether or not Senate Bill No. 78-X(49) was within the legislative business for which this extraordinary session of the Legislature was convened.

A roll call was demanded.

Upon the question the roll was called and the vote was:

Yeas—20.

Mr. President	Crary	Mathews	Shands
Ayers	Getzen	McArthur	Sheldon
Beacham	Johnston	Pearce	Shivers
Beall	Leaird	Ray	Tucker
Boyle	Lindler	Rodgers	Walker

Nays—18.

Alford	Collins	King	Sturgis
Baker	Davis	Moore	Wilson
Baynard	Franklin	Pope	Wright
Carroll	Gautier	Sanchez	
Clarke	Johns	Smith	

So the Senate determined that Senate Bill No. 78-X(49), title as aforesaid, was within the legislative business for which this extraordinary session of the Legislature was convened, so it was read the first time by title only, after such determination was made.

Senator Leaird moved that the rules be waived and Senate Bill No. 78-X(49) be read the second time by title only.

Pending consideration of the motion made by Senator Leaird, the hour of adjournment having arrived, a point of

order was called and the Senate recessed at 1:00 o'clock P. M., until 3:00 o'clock P. M., this day.

Afternoon Session

The Senate reconvened at 3:00 o'clock P. M., pursuant to recess order.

The President in the Chair.

The roll was called and the following Senators answered to their names.

Mr. President	Collins	Lindler	Sheldon
Alford	Crary	Mathews	Shivers
Ayers	Davis	McArthur	Smith
Baker	Franklin	Moore	Sturgis
Baynard	Gautier	Pearce	Tucker
Beacham	Getzen	Pope	Walker
Beall	Johns	Ray	Wilson
Boyle	Johnston	Rodgers	Wright
Carroll	King	Sanchez	
Clarke	Leaird	Shands	

—38.

A quorum present.

Senate Bill No. 78-X(49):

A bill to be entitled An Act to raise revenue by increasing the admission tax to all horse race tracks in this State; providing for such increase to be appropriated to the State Tuberculosis Board; providing for the use of such funds by said board; providing for the amendment of Section 550.081, Florida Statutes, relating to the allocation of periods of operation for horse race tracks; and making findings and declarations of policy relative thereto.

Consideration of the motion made by Senator Leaird that the rules be waived and Senate Bill No. 78-X(49) be read the second time by title only, which was pending consideration at the hour of recess, was resumed.

The question was put.

A roll call was demanded.

Upon the motion made by Senator Leaird the roll was called and the vote was:

Yeas—18.

Mr. President	Crary	Mathews	Shivers
Ayers	Getzen	McArthur	Tucker
Beacham	Johnston	Pearce	Walker
Beall	Leaird	Rodgers	
Boyle	Lindler	Sheldon	

Nays—18.

Alford	Davis	Moore	Sturgis
Baker	Franklin	Pope	Wilson
Baynard	Gautier	Ray	Wright
Carroll	Johns	Sanchez	
Clarke	King	Smith	

Which was not agreed to, so the motion failed of adoption, and Senate Bill No. 78-X(49) was placed on the Calendar of Bills on Second Reading, without reference.

PAIRING

The following pair was announced by the Secretary in accordance with Senate Rule 12:

I am paired with Senator Collins, who is temporarily absent from the Chamber, on the motion made by Senator Leaird. If he were present he would vote "no" and I would vote "aye".

W. A. Shands,
Senator, 32nd District.

By permission the following Message from the House of Representatives was received:

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following message from the House of Representatives was read:

Tallahassee, Florida,
September 22, 1949.

*The Honorable Newman C. Brackin,
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has refused to recede from House Amendments to—

By Senators Shands, Mathews, Rodgers, Ray and Carroll—
Senate Bill No. 17-X(49):

A bill to be entitled An Act to define certain additional privileges, and to levy and provide for the collection of privilege taxes upon sales of personal property, upon admissions and upon rentals of real and personal property; providing for certain exemptions; to define certain words and terms used in this Act; to provide for the creation and enforcement of liens upon real and personal property of persons liable for the payment of such taxes to authorize the promulgation of rules and regulations for the administration and enforcement of this Act; to appropriate monies derived from such taxes and to direct the payment of such monies derived from such taxes to the General Revenue Fund of the State of Florida, to the cost of administration and enforcement of this Act and to provide for impounding any surplus revenue; to provide for the operation of this Act in the event certain provisions herein shall be held invalid; providing for an effective date; to provide penalties for the violation of this Act; and repealing Sections 204.03 and 204.04, Florida Statutes, 1941, and conflicting laws.

Which amendments read as follows:

Amendment No. 1.

Strike out all of Section 8 of the engrossed bill, and insert in lieu thereof the following:

"Section 8. That the sale at retail, the use, the consumption, the distribution, and the storage to be used or consumed in this State, of the following tangible personal property, is hereby specifically exempt from the tax imposed by this Act:

"Fresh meats, cured meats not otherwise processed, fresh fruit and fruit juices, fresh vegetables, grits, eggs, meal, baking powder, soda, flour, salt, pepper, milk, coffee, tea, lard and shortening, oleomargarine, butter, bakery products, fish and other seafoods, cocoa, cigarettes, alcoholic beverages, beer, ice, sugar, syrup, poultry, soap and soap powders and detergents, fuel oil, caskets, Irish and sweet potatoes, frozen foods, baby foods, dried or cured vegetables and fruits, honey, citrus, fresh and processed, seeds, feeds, fertilizers, water (not to include, however, mineral water or carbonated water, or any water put up in bottles, jugs, or other containers), newspapers, school books and school lunches, motor fuel.

"Also exempt are professional, insurance or personal service transactions which involve sales as inconsequential elements for which no separate charge is made, and likewise exempted are all sales made to or by the United States of America, the State of Florida, or any county or municipality within the State and all sales made to or by any governmental unit, State or Federal.

"Medicine compounded in a retail establishment by pharmacists licensed by the State of Florida according to an individual prescription or prescriptions and refills written by a practitioner of the healing arts licensed by the State of Florida, or a sister State, and common household medicinal remedies recommended and generally sold for the relief of pain, ailment, distress or disorder of the human body, according to a list prescribed, and approved by the State Board of Health, which said list shall be certified to the Comptroller and from time to time be included in the rules and regulations promulgated by the Comptroller.

Amendment No. 2.

In Section 8 of the engrossed bill, as amended, at the end of said section, insert the following paragraph:

"Articles of clothing, including shoes, hats and underwear, where the price at which the same is sold is Ten Dollars (\$10.00) or less, on any single item thereof: provided, that sales of articles of clothing ordinarily sold or offered for sale as a pair, or as a suit or ensemble, shall be considered single items under this exemption, provided fabrics by the yard classified as wearing apparel fabrics shall be included in the term articles of clothing."

Amendment No. 3.

In Section 8, as amended, at the end of said section add,

"There is also exempt from the provisions of this Act ships, nets and other equipment used directly in and by licensed commercial fisheries and fishermen."

Amendment No. 4.

At the end of Amended Section 8, add the following: "Also exempt shall be cheesecloth to be used for shading tobacco."

Amendment No. 5.

In Section 8, line 12, of the bill, as amended by Amendment No. 1, between the words "fresh and processed" and the word "seeds" insert the words "canned foods".

Amendment No. 6.

In Section 8 as amended add the following paragraph: "The following personal property is hereby specifically exempt from the tax imposed by this Act, to wit: machines and equipment used in plowing, planting, cultivating and harvesting crops."

Amendment No. 7.

In Section 23, page 52 of the bill: Renumber Section 23 so as to read Section 24 and add a new Section 23 to read as follows:

"SECTION 23. Nothing herein contained shall be construed as repealing any general or special act authorizing a municipality to levy a special tax upon admission tickets which said tax is now being levied by such municipality."

Amendment No. 8.

In Section 8, as amended add a new paragraph to read as follows:

"There is also exempted from the tax imposed by this Act all supplies, fertilizer, sprays, equipment and machinery used in the cultivating and production of citrus."

Amendment No. 9.

In Section 8 as amended: At the end of paragraph three (3) following the words "any governmental unit State or Federal" and insert the following "Likewise exempted are admissions to places of amusement operating under the supervision of the State Racing Commission."

Amendment No. 10.

In Section 8, as amended, of the engrossed bill. Add the following unnumbered paragraph:

"Articles sold or leased to or by Churches or other religious, educational or charitable institutions in the course of their customary religious or charitable activities."

Amendment No. 11.

In Section 8, as amended, at the end of line 8, after the word "Cocoa" add "meals costing \$1.00 or less"

Amendment No. 12.

In Section 14 of the engrossed bill, add the following paragraph at the end of said Section:

"All hearings authorized hereunder to be conducted by the Comptroller shall be held in the County of the residence of the persons liable for the tax or in the County where such person maintains his or its principal place of business. Provided, however, that any such hearing may, with the consent of such person, be held at any place in the State of Florida designated by the Comptroller."

Amendment No. 13.

In Section 8, as amended, line 7, of the bill, after the word: "milk" insert the following: "and milk products".

Amendment No. 14.

At the end of Section 8, as amended, insert the following sentence: "The following personal property is hereby specifically exempt from the tax imposed by this act, to-wit: supplies, fertilizer, sprays, equipment and machinery used in the cultivation and production of agricultural, horticultural or nursery products of any kind whatsoever".

Amendment No. 15—

In Section 8, as amended at the end thereof, insert the following: "There shall likewise be exempted all sales made to or by the United States Government, the State of Florida or any county or municipality within the State, and all sales made to or by any governmental unit, State or Federal, and including sales made to contractors of tangible personal property going into and becoming a part of public works and projects owned by any such government or governmental unit."

Amendment No. 16.

At the end of Section 8, as amended, strike out the period, insert a comma and add the following: "The following items shall also be exempt from the operation of this law; artificial eyes, limbs, crutches, eye glasses, dentures, hearing devices, prosthetic and orthopedic appliances."

And respectfully requests the President of the Senate to appoint a Conference Committee composed of three members of the Senate to confer with a like Committee appointed by the Speaker of the House of Representatives to adjust the differences existing between the two bodies on House Amendments to Senate Bill No. 17-X(49).

The Speaker has appointed Messrs. Smith of Polk, Simpson of Jefferson and Nesmith of Wakulla, on the part of the House.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk,
House of Representatives.

Senator Ray moved that the President appoint a committee on the part of the Senate to confer with the committee appointed by the Speaker of the House of Representatives to adjust the differences between the two bodies on House Amendments to Senate Bill No. 17-X(49).

Which was agreed to.

The President appointed Senators Shands, Mathews, and Ray as the conferees on the part of the Senate.

By permission the following bill was introduced.

Pursuant to Substitute for Senate Resolution No. 1-X(49) the President submitted the question to the Senate of whether or not the following bill should be introduced for consideration by the Senate notwithstanding it not being within the legislative business for which this extraordinary session was convened:

By Senator Walker—

Senate Bill No. 101-X(49):

A bill to be entitled An Act amending Section 409.10, Florida Statutes 1941, as amended, relating to employees of the State and District Welfare Boards.

Upon call of the roll on the question the vote was:

Yeas—4.

Collins	Lindler	Rodgers	Walker
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Nays—32.

Mr. President	Beacham	Davis	Johnston
Alford	Beall	Franklin	King
Ayers	Boyle	Gautier	Leaird
Baker	Carroll	Getzen	Mathews
Baynard	Clarke	Johns	McArthur

Moore	Ray	Sheldon	Tucker
Pearce	Sanchez	Shivers	Wilson
Pope	Shands	Sturgis	Wright

So the Senate refused to permit the introduction of Senate Bill No. 101-X(49) for consideration by the Senate.

The motion made by Senator Johnston on September 21, 1949, to reconsider the vote by which Senate Joint Resolution No. 26-X(49) failed to pass the Senate on September 21, 1949, was taken up in its order.

Senate Joint Resolution No. 26-X(49):

A JOINT RESOLUTION PROPOSING TO AMEND ARTICLE IX OF THE CONSTITUTION OF THE STATE OF FLORIDA RELATING TO TAXATION AND FINANCE.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

The following amendment to Article IX of the Constitution of the State of Florida is hereby agreed to and shall be submitted to the electors of this state for ratification or rejection at the next general election to be held in the year 1950, A. D., that is to say: A new section shall be added to said Article IX, reading and providing as follows:

Amended as follows:

Section ().—**Income Tax.**—the legislature shall have power to lay and collect taxes on incomes, from whatever source derived, in an amount not exceeding twenty per centum of the income tax from time to time imposed by the Federal Government.

The President put the question: "Will the Senate reconsider the vote by which Senate Joint Resolution No. 26-X(49) failed to pass the Senate on September 21, 1949?"

Upon the motion made by Senator Johnston the roll was called and the vote was:

Yeas—25.

Mr. President	Getzen	Pope	Sturgis
Alford	Johns	Ray	Tucker
Ayers	Johnston	Rodgers	Walker
Baynard	Leaird	Sanchez	Wright
Boyle	Mathews	Shands	
Collins	Moore	Sheldon	
Gautier	Pearce	Shivers	

Nays—11.

Baker	Carroll	Davis	Lindler
Beacham	Clarke	Franklin	McArthur
Beall	Crary	King	

Which was agreed to and the Senate reconsidered the vote by which Senate Joint Resolution No. 26-X(49) failed to pass the Senate on September 20, 1949.

The question recurred on the passage of Senate Joint Resolution No. 26-X(49).

Pending roll call on the passage of Senate Joint Resolution No. 26-X(49), Senator Johnston moved that the rules be waived and Senate Joint Resolution No. 26-X(49) be placed back on Second Reading for the purpose of amendment.

Which was not agreed to so the motion failed of adoption.

Senator Beacham now presiding.

Pending roll call on the passage of Senate Joint Resolution No. 26-X(49) Senator Sturgis moved that the time of adjournment be extended until completion of the roll call on the passage of Senate Joint Resolution No. 26-X(49).

A roll call was demanded.

Upon the motion made by Senator Sturgis the roll was called and the vote was:

Yeas—17.

Mr. President	Boyle	Getzen	Ray
Alford	Collins	Mathews	Rodgers
Ayers	Gautier	Pearce	Shands

Shivers
Sturgis

Walker
Wilson

Wright

Nays—19.

Baker
Baynard
Beacham
Beall
Carroll

Clarke
Crary
Davis
Franklin
Johns

Johnston
King
Leaird
Lindler
McArthur

Moore
Pope
Sheldon
Tucker

So the motion failed of adoption.

The question recurred on the passage of Senate Joint Resolution No. 26-X(49).

Pending roll call on the passage of Senate Joint Resolution No. 26-X(49), Senator Pope moved that the Senate adjourn.

Which was agreed to and the Senate stood adjourned at 4:29 o'clock P. M., until 11:00 o'clock A. M., Friday, September 23, 1949.